## BLAKELY SOKOLOFF TAYLOR & ZAFMAN LICP1 1 2005

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INTELLECTUAL PROPERTY LAW 12400 WILSHIRE BOULEVARD, 7TH FLOOR LOS ANGELES, CA 90025 FACSIMILE: (310) 820-5988

## FACSIMILE COVER SHEET

	Deliver to: <u>Jonathan M. Foreman, USPTO</u>			Art Group:3736			
Facsimile No.: (571) 273-8300			Date: October 11, 2005				
From: William Thomas Babbitt, Reg. No. 39,591					9,591		
O	ır C	ocket No.:	5618P2977	Number of pages <u>14</u> including this sheet.			
Αŗ	pli	cation No.:	10/027,877	Filing Date: 12/19/2001 .			
En	clo	sed are the	following documents:		Docket Due Date(s): 10/11/2005 11/11/2005		
Γ	X	Amendment	After Final ( 10. pgs)		Issue Fee Transmittal		
		Appeal Brief	( pgs)		Notice of Appeal		
		Application:			Petition for:		
			( pgs) w/cover & abstract)		Request for Continued Examination (RCE)		
		Assignment	& Cover Sheet ( pgs)		Reply Brief ( pgs)		
	X	Certificate of	f Facsimile		Request & Certification Under 35 USC 122(b)(2)(B)(i)		
		Continued F	rosecution Application (CPA)		Request to Rescind Previous Nonpublication Request		
		Declaration	& POA ( pgs)		Response to Notice of Missing Parts & Formalities Letter		
		Drawings:	sheets, figures		Response to Written Opinion ( pgs)		
		Extension o	f Time:		Terminal Disclaimer		
į		Fee Transm	Ittal (in duplicate)		Transmittal of Publication Fee Due		
		IDS & PTO/	\$B/08 ( pgs)	M	Transmittal Letter		
		Other					
L	-						
CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)  I hereby certify that this correspondence is being transmitted by facsimile on the date shown below to the United States  Patent and Trademark Office.							

Nedy Calderon 10/11/2005

Nedy Calderon Date

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OCT 1 1 2005

	2014	Application No.	10/027,	877		
TRANSM	JKM	Filing Date	December 19, 2001			
(to be used for all cor	respondence aff	er initial filing)	First Named Inventor	William E. Webler		
			Art Unit	3736		
			Examiner Name	Jonatha	n M. Foreman	
Total Number of Page	es in This Submissio	n 13	Attorney Docket Number	5618P2	977	
	ENCLO	SURES (chec	ck all that apply)			
Fee Transmittal For	m	Drawing(s	)	☐ ₩	ter Allowance Communication Group	
Fee Attached	Fee Attached Licensing-r				ppeal Communication to Board Appeals and interferences	
Amendment / Respo	nse	Petition	Petition		ppeal Communication to Group poal Notice, Brief, Reply Brief)	
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Dedarat	lon/POA					
Response to Parts under 3 1,52 or 1,53	Missing 37 CFR					
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm William Thomas Babbitt, Reg. No. 39,591						
or Individual name BLAKELY, SOKOLO			, TAYLOR & ZAF	MAN L	LP	
Signature	Wille	en/ Fox	in V Kathit			
Date	October 11, 2	005				
CERTIFICATE OF MAILING/TRANSMISSION						
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Signature head		Calder	2	Date	October 11, 2005	

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т-032 Р.603/014 F-034

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FEE TRANSMITTAL	Application Number 10/027,877  Filing Date December 19, 2001				
for FY 2005	Filing Date	December	19, 2001		
Patent teos are subject to annual revision.	First Named Inventor	William E			
Applicant claims small entity status. See 37 CFR 1.27.	Examiner Name		M. Forem	an	
TOTAL AMOUNT OF PAYMENT (\$) 0.00	Art Unit Attorney Docket No.	3736 5618P2977			
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under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.					
FEE CALCULATION					
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1252 450 ZZS2 225 Extension for reply within second month 1253 1,020 2253 510 Extension for reply within mind month			<u></u> !		
7254 1,590 2254 795 Extension for reply within fourth month		<del></del>			
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SUBTOTAL (2)		(5)			
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SUBMITTED BY	Registration No.	7		(310) 207-3800	
Name (Pont/Typn) William Thomas Babbitt	(Automoy/Agent)	39,591	Telephone		
Observer Miller / Fallet			Date	10/11/05	

T-032 P.0047874 1F-0342005

FEE TRANSMITTAL	Complete if Known				
	Application Number	10/027,8			
for FY 2005	Filing Date		r 19, 20 <u>01</u>		
Potenti faes ere subject to annual revision.	First Named Invento		E. Webler		
Applicant claims small entity status. See 37 CFR 1.27.	Examiner Name		M. Forem	an	
	Art Unit	3736			
TOTAL AMOUNT OF PAYMENT (\$) 0.00	Attorney Docket No.	5618P297	7		
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METHOD OF PAYMENT (check all that apply)		c >			
	Other (please identi				
Deposit Account Deposit Account Number: 02-2666	Deposit Account N	ame: <u>Blakely, Sc</u>	okoloti. Tay	or & Zafman LLP	
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Charge fee(s) indicated below			ow, except i	or me nung ree	
Charge any additional fee(s) or underpayment of feet under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.	(S) 🔀 Credit an	y overpayments		·	
FEE CALCULATION		-·· <u>·</u>			
1. EXTRA CLAIM FEES Extra Fee from				·	
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2. ADDITIONAL FEES Large Entity Small Entity					
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2053 130 2053 130 Non-English specification					
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1253 1,020 2253 510 Extension for repty within third month			<b></b>		
1254 1,690 2254 795 Extension for rapty within fourth month 1255 2,180 2255 1,080 Extension for rapty within fifth month					
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1402 500 2402 250 Filing a color in support of an appear	1402 500 2402 250 Filing a brief in support of an appeal				
1451 1,510 2451 1,510 Pedilon to Instrue a guibilic uso proceeding					
1450 130 2460 130 Petitions to the Commissioner 1807 50 1807 50 Processing fee under 37 CFR 1.17(q)					
1805 180 1809 180 Summission of Information Disclosure Strat					
1809 790   1809 995 Filting a submission effer final rejection (37 CFR § 1.129(a))  1810 790 2810 395 For each additional invention to be examined (37 CFR § 1.129(b))					
Other foo (specify)					
SUBTOTAL (2)					
SUBMITTED BY Complete (if applicable)					
	Registration No.	39,591	Telephona	(310) 207-3800	
Name (PrintType) William Thomas Babbitt	(Attorney/Agent)	37,371		(	

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OCT 1 1 2005

REPLY UNDER 37 CFR 1.116 EXPEDITED PROCEDURE TECHNOLOGY CENTER 3736

Our Ref. No.: 5618P2977

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re P	atent Application of:	)		
	William Earl Webler	) ) Examiner: Jonathan M. Foreman		
Applic	ation No.: 10/027,877	<b></b>		
Filed:	December 19, 2001	) Art Unit: 3736		
For:	METHOD AND APPARATUS FOR DETERMINING INJECTION DEPTH AND TISSUE TYPE	) ) ) _)		

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## AMENDMENT AND RESPONSE TO FINAL OFFICE ACTION

In response to the Office Action dated August 11, 2005, Applicant respectfully requests entry of the amendments set forth below and consideration of the remarks that follow.